

**VIRTUAL PROSPECTING USING E-COMMERICALS****Field of the Invention**

The field of the invention is electronic direct marketing.

**Summary of the Invention**

5       Methods and systems of virtual prospecting are provided in which an advertiser narrowly selects prospects and commercials, identifies them to a third party, and the third party communicates the commercials to the prospects, tracks the response, and reports the tracking information to the advertiser.

10       It is preferred that the advertiser selects the prospect from a prospect list, and selects the commercial from a commercials database. It is also preferred that the commercial is an executable file that includes an identification code. The commercials may also advantageously include a hyperlink to a web site, and initiate a substantially synchronous link such as a telephone call or chat room exchange between the prospect and the advertiser. The step of reporting back to the advertiser preferably includes providing the advertiser with a sorting of prospects by action taken.

15       Various objects, features, aspects and advantages of the present invention will become more apparent from the following detailed description of preferred embodiments of the invention, along with the accompanying drawings in which like numerals represent like components.

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**Brief Description of The Drawings**

Fig. 1 is a schematic of a soliciting phase of an embodiment of a virtual prospecting system and method according to the inventive subject matter.

25       Fig. 2 is a schematic of a responding phase of an embodiment of the virtual prospecting system and method of Fig. 1.

### Detailed Description

Figures 1 and 2 provide an overview of a preferred method and system. In the soliciting phase of **Figure 1**, an advertiser 10 individually selects both a prospect from a prospect list 22 and a commercial from a commercial list 24, and identifies those selections to a third party 30. The third party 30 then communicates the commercial to the prospect 40. In the response phase of **Figure 2**, the prospect 40 responds to the communicated commercial, such as by linking to a web site 50 that communicates back to the advertiser 10. Responses of the prospect 40 are also tracked by the third party, which provides information relating to the tracking back to the advertiser 10.

While Figures 1 and 2 cooperate to illustrate different aspects of a preferred embodiment, it should be understood that a great number of alternatives are possible. In Figures 1 and 2, for example, the advertiser 10 is depicted as having a main office 12, and a plurality of agents 13-16, which may comprise any combination of branch offices, divisions, inside or outside salespeople, independent contractors, distributors, and so forth. In alternative embodiments, there may be any other structures having any other level of complexity. Thus, towards one extreme an advertiser may comprise a very large company with thousands of agents. At another extreme the entire advertiser may comprise only a single person. It is also contemplated that the advertiser may be more or less loosely organized. For example, the various agents may all be rigidly connected to a single mainframe in a local area network, they may be linked by a virtual private network, or they may be linked only in the sense that they can access common data. It should thus be understood that references to an advertiser performing an action may be interpreted as an agent for the advertiser performing that action.

At least one agent operates in some manner to select a prospect from a prospects database 22 and a commercial from a commercials database 24. In this example the accessing agent in this example is agent 14, and the data is accessed using links 14A and 14B. While not explicitly shown on the drawing, the databases 22, 24 are most likely stored on the advertiser's local area network (LAN), and accessed by the agent 14 using a common workstation, laptop, or other computer. Other combinations are contemplated, however, and it should be appreciated that the

databases 22, 24 could be stored or accessed by CD ROM or some other means, and that other agents or combinations of agents could cooperate to access the databases 22, 24.

It is significant, however, that the selection of prospects is performed on a narrowly selected basis. As defined herein, "narrowly selected" means that the agent 14 is not selecting an entire mailing list of thousands or even hundreds of names, but is selecting either an individual prospect or a very small number of prospects, defined herein to be less than 100 at a time.

The prospects database 22 may be entirely proprietary to the advertiser 10, or the agent, or may be obtained from an outside source. It is also contemplated that the prospects database 22 may comprise some or all of a co-sponsorship database as described in concurrently filed application serial no. \_\_\_\_ corresponding to attorney docket 604.16, which is incorporated herein by reference.

Typically the individuals being targeted would have answered a commercial, or telephoned for information on a product or service, or for some other reason have appeared on a contact list for the agent. Since the agent wants to maximize the value of his or her prospecting time, he chooses to send out a commercial to the prospects on his or her list to discover which are still interested, or based on some other characteristic, which of the prospects are considered to be qualified prospects.

In some instances there may be only a single commercial listed on the commercials database 24, but in most instances there will be a plurality of commercials. In any event the agent would usually select which commercial to send to individual prospects based upon some additional information. For example, the agent may understand that a given prospect falls within a particular age or income range, or is a particular sex, and the selection of commercial to send to that prospect may be made on that basis. It is also contemplated that an agent may select more than one commercial for a given prospect.

With current technology the commercials on the commercials database 24 are very likely to be canned commercials that differ from one another by language, content, medium or in some other manner. It is contemplated, however, that the commercials can be dynamically customized to the prospect as set forth in concurrently filed application serial number \_\_\_\_ corresponding to attorney docket 604.10, which is incorporated herein by reference.

The term "commercial" is used herein in a very broad sense to mean any message intending to motivate a recipient to take an action favorable to an advertiser. Commercials

may be simple textual banner ads, but more preferably include rich-media graphics such as animation, a photograph or other image, or an audio tract. Still more preferred commercials include video and branding graphics. Especially preferred commercials will be those that communicate a value proposition communicated in 30 seconds or less. Currently the most preferred commercials include an audio tract, a video tract, branding graphics, and hyperlinks, all delivered in a single executable file. These and other embodiments are as described in concurrently filed application serial nos. \_\_\_\_ and \_\_\_\_, corresponding to attorney docket 604.07 and 604.08, respectively which are incorporated herein by reference. Still other preferred embodiments include "slide-show" commercials as described in concurrently filed application serial no. \_\_\_\_ corresponding to attorney docket 604.09, which is incorporated herein by reference.

The term "advertisers" is used herein in the broadest possible sense, including any entity trying to impact the thinking or behavior of others. In many instances the desired impact will include motivating the recipient to purchase goods or services. In other instances the desired impact may be to cause the recipient to vote in a given manner in an election, or a poll. In still other instances the desired impact may be of a very general nature, perhaps increasing societal awareness of alcoholism.

A major advantage of electronic direct marketing is that it lends itself readily cross branding. An advertisement for vacation trips to the Bahamas may include logos for a fast food chain, or swim wear, or even television shows dealing with travel. Not only does a single message provide impression for each of the multiple marketers, but the inclusion of multiple, well-recognized brands may lend credibility to a new brand, or may lend a certain image of modernity to an older brand.

The narrow selection of prospects and commercials is communicated to a third party as shown by arrows 122, 124, respectively. This communication preferably takes place electronically via a public access network such as the Internet, but may additionally or alternatively take place by any suitable method. Thus, it is contemplated that the narrow selection of prospects and commercials may be communicated by telephone, or facsimile.

The third party is preferably a high volume electronic mailing company, sending out perhaps hundreds of thousands or even millions of messages per month. An exemplary such company is ecommercial.com, Inc. based in Southern California, USA. The third party may

or may not take part in initially producing the commercials, and may or may not take part in customizing the commercials. The third party would almost certainly charge for its services, most likely on an incremental basis as a function of the number of messages communicated to prospects, the length of the commercials, and so on. Because of the high traffic involved, the third party may advantageously employ outbound trafficking technologies such as those described in concurrently filed application serial nos. \_\_\_\_, corresponding to attorney dockets 604.12, 604.18, 604.19, and 604.20, each of which is incorporated herein by reference.

Communication of the narrowly selected commercial(s) to the narrowly selected prospect(s) also preferably takes place electronically via a public access network such as the Internet, arrow 130, but may additionally or alternatively take place by any suitable method. It is, for example, contemplated that such communication may take place, at least for some prospects, by e-mail, facsimile, or even physically carried postal type mail.

Turning now in greater detail to the response phase of **Figure 2**, the prospect 40 responds to the communicated commercial in some manner. Where the commercial was delivered electronically by e-mail, it is expected that the prospect may respond using some electronic means, such as return e-mail, or perhaps by clicking through a hyperlink on the commercial to a web site 50, as depicted by arrow 240A. The web site 50 may or may not belong to the advertiser, and may or may not even be hosted by the advertiser. At the web site 50 the prospect 40 may provide identifying information such as a name or account number, or may simply browse the web site 50. Either way it is contemplated that some tracking information can be obtained from actions of the prospect at the web site 50, and that tracking information can be communicated to the originating agent 14 or some other agent, as depicted by arrow 250.

In a more sophisticated case, the third party may include a unique identification code in one or more commercials delivered to a prospect, and that code can be employed to track click throughs, forwarding, opening and playing of the commercial, and so forth. The commercial may also be authenticated. Details of preferred embodiments of such tracking, including descriptions of identification codes and securing of commercials, are described in concurrently filed application serial no. \_\_\_\_ corresponding to attorney docket 604.07, which is incorporated herein by reference.

A response may also occur through some medium other than that used to deliver the commercial. One simple example is where the commercial motivates the prospect to physically visit a retail store or other outlet to make a purchase. Regardless of how the prospect responds, the third party obtains at least some tracking information as depicted by arrow 240B. In possibly the least valuable case involving e-mail delivery of a commercial, the third party can at least tell whether the commercial was in fact delivered to the prospect, and if the e-mail was opened.

One particularly advantageous method of responding involves the prospect engaging an icon, button, or other trigger that sends a message back to either the originating agent or some other agent. The message may, for example, ask that the agent call the prospect on the telephone, or send additional information. A system that provides such phone response tracking is Instantcall™. As another example, the message may open a chat room type dialog between prospect and agent, such as that provided by Eyecontact™. Such responses are highly desirable because they initiate a substantially synchronous link between the prospect and the agent.

The third party will most likely tabulate or in some other manner summarize the tracking information, and provide that information back to the initiating agent 14 or some other agent. Here again this communication most preferably occurs across a public access network such as the Internet, as depicted by arrow 230. One particularly valuable type of information that can be provided to the agent is a sorting of prospects by action. Such sortings allow the agent to allocate his or her time more efficiently, by prioritizing or taking different steps with respect to prospects as a function of the actions taken by the prospects.

As should now be apparent, a significant advantage to the above-described methods and systems is that they allow sales and marketing people to rapidly distinguish among suspects, prospects, qualified prospects, and intenders. This should be especially beneficial to insurance companies, health care providers, and other entities that market by winnowing down multiple leads to focus on qualified prospects.

Thus, specific embodiments and applications of virtual prospecting have been disclosed. It should be apparent, however, to those skilled in the art that many more modifications besides those already described are possible without departing from the inventive concepts herein. The inventive subject matter, therefore, is not to be restricted

- except in the spirit of the appended claims. Moreover, in interpreting both the specification and the claims, all terms should be interpreted in the broadest possible manner consistent with the context. In particular, the terms "comprises" and "comprising" should be interpreted as referring to elements, components, or steps in a non-exclusive manner, indicating that the
- 5 referenced elements, components, or steps may be present, or utilized, or combined with other elements, components, or steps that are not expressly referenced.